



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/213,275 12/17/98 WEN

Y MR929-505

EXAMINER

PM82/0929

ROSENBERG KLEIN AND BILKER
SUITE 105
3444 ELLICOTT CENTER DRIVE
ELLICOTT CITY MD 21403

MAR, M

ART UNIT	PAPER NUMBER
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3611

DATE MAILED:

09/29/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/213,275

Applicant(s)
Yi-Ling Wen

Examiner
Michael Mar

Group Art Unit
3611



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire Three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-6 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-6 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892 ✓

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 & 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Smisek.

Note the elongated body having a top plate 22, a bottom plate 34, a central longitudinal rib, and longitudinal ribs along each side portion formed by aluminium members 31a & 31b which are integral with the top and bottom plates when joined together.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smisek in view of document U.

Smisek discloses top and bottom plates which are made of plastic, but teaches the use of longitudinally extending aluminium ribs.

Document U discloses on page 48 that skateboards bodies have been made of aluminum and surfboard foam.

It would have been obvious to modify the skateboard of Smisek by making the body entirely of aluminium and filling the interior with foam as taught by document U in order to make the body stronger and more rigid while maintaining a lightweight body.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smisek in view of Stevenson '520.

Stevenson '520 teaches the use of a flexible protective pad 11 which covers the side and end portions of a skateboard deck.

It would have been obvious to provide the skateboard body of Smisek with a protective pad which covers the end portions as taught by Stevenson '520 in order to protect the end portions from damage when engaging obstacles.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Stevenson '963 discloses that skateboards having molded exterior bodies and solid foam cores are available (col. 1, lines 17-19). Stevenson '963 further teaches making skateboards bodies of aluminium (col. 1, line 40) with a core of a different material.

Brooks shows a skateboard having a deck made of aluminium (col. 4, lines 24-28).

Saucier shows a body with integral longitudinal ribs and a foam core.

Gauer shows a body with integrally formed longitudinal ribs.

7. **Any response to this action should be mailed to:**

Assistant Commissioner for Patents

Washington, D.C. 20231

or faxed to:

(703) 308-2571

(for formal communications intended be entered)

(all informal communications should be labeled "PROPOSED" OR "DRAFT")

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or hand delivered to:

Crystal Park 5, 2541 Crystal Drive, Arlington, Virginia 22202

Seventh Floor(receptionist)

8. Any inquiry concerning this communication should be directed to Michael Mar at telephone number (703) 308-2087.

Michael Mar

MICHAEL MAR 9-24-99

M.Mar

9-24-99